



P.O. Box 8 • Carlstadt, N.J. 07072
201-933-2323

November 13, 1995

Joseph Cosentino, OSC
Removal Action Branch
Emergency & Remedial Response Division
United States Environmental Protection Agency
Region II
2890 Woodbridge Avenue
Edison, NJ 08837

Marc Seidenberg, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Fl.
New York, NY 10007

Re: 104(e) Request for Bayonne Barrel & Drum
Superfund Site, 150-154 Raymond Boulevard,
Newark, Essex County, New Jersey -- Arsynco, Inc.

Dear Mr. Cosentino:

I am herewith enclosing Arsynco, Inc.'s answer to your Request for Information regarding Bayonne Barrel & Drum, Newark, New Jersey. By letter dated October 30, 1995, I confirmed that you had granted an extension to Arsynco through November 19, 1995 for our answers.

We are enclosing our response to the Request for Information which reflects a good faith interpretation and review of pertinent, available information. We have, however, objections to questions 1(c) - 1(f). We do not understand how a nexus has been established with respect to parent companies, subsidiaries, officers or other affiliates of Arsynco. Such affiliates are separate legal entities for which a showing of nexus is required. The Request for Information concerning affiliates is also irrelevant to any inquiry concerning Arsynco itself. Accordingly, we note our objection to these questions. We have nevertheless answered these questions while preserving this objection.

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Arsynco's only connection to Bayonne Barrel & Drum was to sell that entity empty drums that contain no hazardous wastes or substances. Indeed, the information provided by EPA to us regarding EPA's "nexus" information indicates that Bayonne Barrel & Drum paid Arsynco for these clean drums. Accordingly, Arsynco has no liability under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James Dillon".

JAMES DILLON

1.
 - a. Arsynco, Incorporated
 - b. Corporation, New Jersey
 - c. Chairperson:
Robert Parsont
6 Easthaven Lane
White Plains, NY 10605

President:
James P. Dillon
123 Vanderburg Avenue
Rutherford, NJ 07070

- d. Subsidiary of:
Aceto Corporation
One Hollow Lane
Lake Success, NY 11042-1215

Chairperson:
Arnold Frankel
535 East 86th Street - Apt. 19F
New York, NY 10028

President:
Robert Parsont
6 Easthaven Lane
White Plains, NY 10605

- e. The Company is not a successor to and has not been succeeded by another company.
 - f. The Company has not transacted business with Bayonne Barrel & Drum in the name of an entity not disclosed above.
2.
 - a. The Company has not transacted any business with Bayonne Barrel & Drum for disposal, treatment, or storage of any barrels, drums or other containers.

i, ii, iii, iv and b not applicable.

3. Wesley Bennett
6 Niles Avenue
Madison, NJ 07940
(201) 377-6848

Regulatory Affairs Manager
See job description appended.

Mr. Bennett, because of his job responsibilities and long tenure with the Company (1974 - 1990) would be knowledgeable in the facts relating to this inquiry.

4. Wesley Bennett
Question 2a

5. See appended
6. To the best of my knowledge there is no agreement or contract which may indemnify the company, president or past directors, officers or owners of shares in the company, for any liability that may result under CERCLA.
7. There is no relevant information or documentation in our present possession. Our records, due to the closure of Arsynco's operations and our corporation policy of maintaining documents for seven years (except hazardous waste manifests) are limited. Hazardous Waste Manifests have been checked back to 1981 and none indicate any connection with the Bayonne Barrel & Drum site.

Question 3 - Job Description

Regulatory Affairs Manager

Responsible for all health safety and environmental matters and ensuring company compliance with all local, state and federal health safety and environmental regulations.

Duties include:

- **Training plant personnel in health safety and environmental procedures.**
- **Inspecting health, safety, fire and environmental protection equipment to insure it is maintained and in proper working order.**
- **Inspecting to insure that all company health safety and environmental programs and procedures are being followed. Auditing to ensure proper documentation.**
- **Implementing the company hazardous waste management program and supervising hazardous waste employees.**
- **Completing all local, state and federal reporting requirements and submitting in a timely manner.**
- **Functions as:**

**Safety Committee Coordinator
Site Emergency Coordinator**

INTEROFFICE MEMORANDUM

TO: Jimmy Dillon

FROM: Don Horowitz

DATE: November 7, 1995

The following is a schedule of our General Liability and Excess Liability coverage from 1982 - 1985:

GENERAL LIABILITY

Insurance Company	Policy Period	Policy Number	Policy Limit
National Union	6/30/81 - 7/1/82	GLA9053969	1,000,000
Home Insurance Co.	7/1/82 - 6/30/84	GL1350531	1,000,000
" "	7/1/84 - 6/30/85	GL1475885	1,000,000
National Union	7/1/85 - 6/30/86	GLA1578675	1,000,000

EXCESS LIABILITY

American Centennial	1/8/81 - 7/1/83	Various	5,000,000*
New England Insurance	7/1/83 - 6/30/84	688184	10,000,000 in excess of 1,000,000 primary
Pacific Employers	7/1/84 - 6/30/85	XM0010993	10,000,000 in excess of 1,000,000 primary
" "	7/11/84 - 6/30/85	XCC014503	15,000,000 over 1,000,000 primary and 10,000,000 excess

7/1/85 - 12/31/85 - NO EXCESS COVERAGE

* Policy cancelled with payment of 200,000 as settlement for any and all future claims. Policy cancelled approximately 5 years ago.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of NEW JERSEY
County of BERGEN

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

JAMES R. DILLON
NAME (print or type)

PRESIDENT
TITLE (print or type)

James P. Dillon
SIGNATURE

Sworn to me before this 14th
day of November, 1995

Dorothy L. Rebele
Notary Public

DOROTHY L. REBELE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 2, 1997